



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460-0001

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Ambrose Charles, Deputy Assistant Commissioner
Texas Department of Agriculture
P.O. Box 12847
Austin, Texas 78711

Expiration Date: May , 2013
Report Due: November 30, 2013
Interim Report Due: November 30, 2011
November 30, 2012
File Symbols: 10TX06 (metconazole)
10TX07 (pyraclostrobin)

Attn: Ed Gage

The Environmental Protection Agency hereby grants two quarantine exemptions under the provisions of section 18 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended, to the Texas Department of Agriculture for the use of pyraclostrobin and metconazole to control Orange Rust (*Puccinia kuehnii*) on sugarcane. These quarantine exemptions are subject to the conditions set forth in your requests dated, March 15, 2010, as well as the following conditions, modifications and restrictions:

1. The Texas Department of Agriculture is responsible for ensuring that all provisions of this specific exemption are met. It is responsible for providing information in accordance with 40 CFR 166.32(b). Interim annual reports and a final report summarizing the results of this program must be submitted to EPA headquarters and the EPA regional office. In accordance with 40 CFR 166.32(a) these offices shall also be immediately informed of any adverse effects resulting from the use of these pesticides in connection with these exemptions.

Any future correspondence in connection with these exemptions should refer to file symbols: 10TX06 (metconazole) and 10TX07 (pyraclostrobin).

2. The product, Headline fungicide (EPA Reg. No. 7969-186, manufactured by BASF Corporation 23.6% pyraclostrobin) may be applied. All applicable directions, restrictions and precautions on the EPA-registered product label must be followed unless otherwise modified in this authorization document. In addition, the use directions submitted March 15, 2010, may be used with the following revision:

a. Remove the stand alone EPA Reg. No. near the top of the first page.

3. Headline fungicide may be applied by ground or air at a rate of 12 fl. oz. of product per acre (0.2 lb. ai/acre). A maximum of four (4) applications may be made per acre per season. Do not apply more than two consecutive applications of Headline.

4. The product, Caramba fungicide (EPA Reg. No. 7969-246, manufactured by BASF Corporation 8.6% metconazole) may be applied. All applicable directions, restrictions and precautions on the EPA-registered product label must be followed unless otherwise modified in this authorization document. In addition, the use directions submitted March 15, 2010, may be used with the following revisions:

a. Remove the stand alone EPA Reg. No. near the top of the first page.

5. A maximum of 40,000 acres of sugarcane may be treated in the state of Texas.


6. A 14 day pre-harvest interval will be observed for both products.

7. Applications made in accordance with the above provisions are not expected to result in residues of metconazole, including its metabolites and degradates in or on sugarcane, cane in excess of 1.6 ppm and sugarcane, molasses in excess of 3.2 ppm. This Agency has determined that these levels are adequate to protect the public health. Time-limited tolerances published in the *Federal Register* of May 7, 2009 (40 CFR 180. 617) and currently expire December 31, 2011. Applications made in accordance with the above provisions are not expected to result in residues of pyraclostrobin and its desmethoxy metabolite in or on sugarcane, cane in excess of 0.02 ppm and sugarcane, molasses in excess of 0.4 ppm. This Agency has determined that these levels are adequate to protect the public health. Time-limited tolerances published in the *Federal Register* of March 18, 2009 (40 CFR 180. 582) and currently expire December 31, 2011.

8. Since the emergency condition is dependent on weather favorable to disease development, final approval of the use of pyraclostrobin and metconazole should be determined by the State's expert(s).

9. These quarantine exemptions expire three years from the below date.

If you or your staff have any questions with respect to these authorizations, please contact Emergency Response Team member, Libby Pemberton, (703 308-9364, Pemberton.libby@epa.gov.)



Lois Rossi, Director
Registration Division

Date: June 14, 2010

cc: EPA Region VI, Johnie Dowell